

EXHIBIT 1g.

FILE

SPECIAL PERMIT AND SITE PLAN REVIEW

REQUEST FOR WAIVERS STATEMENT

APPLICANT: Cellco Partnership d/b/a Verizon Wireless
SITE ADDRESS: 30 Grafton Common, Grafton, Massachusetts
ASSESSOR'S LOT I.D.: Map 74, Lot 124A
ZONING DISTRICT: Neighborhood Business and
Grafton Common Historic District

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AUG 29 2017

I. OVERVIEW

**PLANNING BOARD
GRAFTON, MA**

The applicant, Cellco Partnership d/b/a Verizon Wireless, requests that the Planning Board of the Town of Grafton approve the application of Verizon Wireless for a Special Permit with Site Plan Review approval pursuant to Sections 1.3.3 and 5.8 of the Zoning Bylaws

The Applicant requests waivers pursuant to the Town of Grafton Zoning By-Laws, Sections 1.3.3.4 and 5.8.10 because of the nature of the wireless application, the existing site conditions, a co-location inside a steeple and the fact that the applicant's ground equipment would be screened inside a landscaped fenced area adjacent to the existing church building installed at the property satisfies the standards for the Planning Board to review and approve the Applicant's Special Permit/Site Plan Review application for a wireless installation pursuant to Sections 1.3.3 and 5.8.

The zoning drawing which are titled with a last revision date 8/9/17, "GRAFTON 4 MA" prepared by Chappell Engineering Associates, LLC, Project Brief and Exhibits provides sufficient project details to allow the Planning Board to review and approve the Applicant's Special Permit/Site Plan Review application.

II. WAIVERS REQUESTED AND BRIEF EXPLANATION

As pertains to Special Permit and Site Plan Review applications for Wireless Communications Facilities, Sections 1.3.3.4 and 5.8.10 of the By-Law states that the Planning Board may authorize deviation from strict compliance with the provisions of Sections 1.3.3.3(d)-(f) and 5.8 where deviation is in furtherance of the purposes and intents of the by-law, and where the authorized deviation is expressly enumerated, justified and acted upon by the Board. Verizon Wireless hereby requests waivers pursuant to these aforelisted sections.

- ❑ **Section 1.3.3.3.d(8): Locus Map (scale of 1"=1,000) and north arrow.**

The Applicant has provided detailed plans including a Property Plan Sheet C01, Site Plan Sheet C02, Partial Site Plan Sheet A01. The Plan sheets provide a scale, which provides a sufficiently detailed view of the area surrounding the site. To the extent the scale does not strictly comply with this provision of the Bylaw, the Applicant respectfully requests a waiver.

- ❑ **Section 1.3.3.3.d(10): Wetland, Ponds, Streams, or other water bodies, including all applicable buffer zones.**

The Applicant has provided detailed plans including a Property Plan Sheet C01, Site Plan Sheet C02, Partial Site Plan Sheet A01. With consideration of the limited nature of the site development, the Plan sheets provide a sufficiently detailed view of the area surrounding the site. To the extent the detail does not strictly comply with this provision of the Bylaw, the Applicant respectfully requests a waiver.

- ❑ **Section 1.3.3.3.d(11) Ownership of all abutting land and approximate location of buildings, driveways, and parking areas thereon within a maximum distance of two hundred feet (200') of the property lines.**

The Applicant has provided detailed plans including a Property Plan Sheet C01 with a 200' radius depicting the location of buildings and other features. To the extent the detail does not strictly comply with this provision of the Bylaw, the Applicant respectfully requests a waiver.

- ❑ **Section 1.3.3.3.d(12) Existing and proposed topography at two-foot (2') elevation intervals.**

Due to the size and scope of the proposed concealed wireless communications facility with screened ground equipment, Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities. Applicant believes that the drawings submitted meet the requirements of Section 1.3.3.3 to the extent applicable to this proposal.

- ❑ **Section 1.3.3.3.d (13) All property lines of the subject property, and all setbacks of buildings and parking areas from said lines, and existing and proposed easements, if any.**

Due to the size and scope of the proposed concealed wireless communications facility with screened ground equipment, Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications

Facilities. Applicant believes that the drawings submitted meet the requirements of Section 1.3.3.3 to the extent applicable to this proposal.

- **Section 1.3.3.3.d (14) Extent and type of all existing and proposed surfaces (pervious and impervious) on the property, including specific materials.**

Due to the size and scope of the proposed concealed wireless communications facility with screened ground equipment, Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities. Applicant believes that the drawings submitted meet the requirements of Section 1.3.3.3 to the extent applicable to this proposal.

- **Section 1.3.3.3.d (15) Lot coverage calculations showing percentage of buildings, percentage of pavement, and percentage of open space/landscaped areas.**

Due to the size and scope of the proposed concealed wireless communications facility with screened ground equipment, Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities. Applicant believes that the drawings submitted meet the requirements of Section 1.3.3.3 to the extent applicable to this proposal.

- **Section 1.3.3.3.d (16) Parking calculations for proposed use(s), including all existing use(s) that will continue to exist on the property, if applicable.**

The proposed wireless communications facility will be unmanned and generate only one or two site visits per month. Due to the size and scope of the proposed concealed wireless communications facility with screened ground equipment, Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

- **Section 1.3.3.3.d (17) Calculations of the volume of earth material to be removed or filled on the property, and delineation of the location(s) of such activity.**

There will be minimal grading and leveling of the property for the installation of the proposed wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

- **Section 1.3.3.3.d (18) Driveways and driveway openings/entrances.**

There will be no changes to driveways and driveway opening/entrances as a result of the installation of the proposed wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it

applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (19) Parking and loading spaces.**

There will be no changes to the existing parking and loading spaces as a result of the installation of the proposed wireless communications facility. The Applicant will use the existing available parking for the one or two visits a month. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (20) Service areas and all facilities for screening.**

There will be shrubs added to the landscape to provide a visual screen for the fenced ground equipment. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (21) Landscaping.**

There will be shrubs added to the landscape to provide a visual screen for the fenced ground equipment. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (22) Lighting.**

There is no new lighting proposed as part of the installation of the wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (23) Proposed signs (business, traffic, etc.).**

As part of the proposed installation, Verizon Wireless' signage shall only be posted to comply with standards to provide notice of the installation of a wireless facility at the steep access and area of screened ground equipment and will contain contact information. There shall be no advertisement signage installed on the facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (24) Sewage, refuse and other waste disposal.**

The wireless communications facility will be unmanned there will be no new sewage, refuse or other waste created as part of the installation of the proposed wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (25) Stormwater management facilities (drainage).**

There will be minimal grading and leveling of the property for the installation of the proposed wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (26) All structures and buildings associated with the proposed and existing use(s) on the property.**

Applicant believes that the drawings submitted meet the requirements of aforelisted requirements to the extent applicable to this proposal. To the extent that the Board finds that the submitted documents do not meet the standards, Applicant submits that further details will not tend to provide substantive assistance to the Board in its review of this application and therefore requests a waiver to provide any further detail.

❑ **Section 1.3.3.3.d (27) Exterior storage areas and fences.**

Applicant believes that the drawings submitted meet the requirements of aforelisted requirements to the extent applicable to this proposal. To the extent that the Board finds that the submitted documents do not meet the standards, Applicant submits that further details will not tend to provide substantive assistance to the Board in its review of this application and therefore requests a waiver to provide any further detail.

❑ **Section 1.3.3.3.d (28) Utilities and their exterior appurtenances (e.g., fire connections).**

Applicant believes that the drawings submitted meet the requirements of aforelisted requirements to the extent applicable to this proposal. To the extent that the Board finds that the submitted documents do not meet the standards, Applicant submits that further details will not tend to provide substantive assistance to the Board in its review of this application and therefore requests a waiver to provide any further detail.

❑ **Section 1.3.3.3.d (29) Provisions for dust and erosion control.**

There will be minimal grading and leveling of the property for the installation of the proposed wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

❑ **Section 1.3.3.3.d (30) Any existing vegetation.**

Applicant believes that the drawings submitted meet the requirements of aforelisted requirements to the extent applicable to this proposal. To the extent that the Board finds that the submitted documents do not meet the standards, Applicant submits that further details will not tend to provide substantive assistance to the Board in its review of this application and therefore requests a waiver to provide any further detail.

- **Section 1.3.3.3.e** stormwater management hydrological study prepared in accordance with the *Rules and Regulations Governing the Subdivision of Land: Grafton, Massachusetts* (Sections 3.3.3.19 and 4.7.8).

There will be minimal grading and leveling of the property for the installation of the proposed wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

- **Section 1.3.3.3.f** report, if applicable, showing calculations of the volume of earth material to be removed from or delivered to the site, including a description of such removal or fill activity. Depending upon the volume of material to be removed or filled, the Planning Board may require the Applicant to submit additional information (if not submitted in the report) regarding, but not limited to, the following: the hours of fill/removal activity; proposed route(s) of transporting materials to and from the site; and measures for dust and erosion control (both on- and off-site) for the proposed activity.

There will be minimal grading and leveling of the property for the installation of the proposed wireless communications facility. Applicant requests a waiver of the aforelisted requirement as it applies to Special Permit with Site Plan Review applications for Wireless Communications Facilities.

- **Section 5.8.4.c): Evidence that the applicant has filed a notice of proposed construction with the Federal Aviation Administration if the proposed facility exceeds 200 feet in height or in the event such notice is otherwise required.**

The proposed wireless communications facility will be located inside of the existing steeple with replacement louvers and will not increase the overall height of the existing church building.

- **Section 5.8.4.d): Support materials that show: the location of structures of similar or greater elevation within one-half mile (two thousand six hundred forty feet) radius of the proposed site/parcel; that the owners of those locations have been contacted and asked for permission to install the facility on those structures, and denied, or that such other locations do not satisfy the requirements to provide the service needed. This would include, but not be limited to, smoke stacks, water towers, tall buildings, antenna or towers of other wireless communications companies, other wireless communications facilities (fire, police, etc.) and all other tall structures.**

The Applicant is proposing to install antennas concealed inside of the steeple of the existing church building.

- **Section 5.8.4.e):** Material describing a specific plan for a balloon or similar test, including the date and time, as well as a rain date and time, suitably and clearly described for inclusion in the legal notice in the newspaper and for inclusion in the notice to abutters.

The Applicant is proposing to install antennas concealed inside of the steeple of the existing church building.

- **Section 5.8.4.h):** Due to the technical nature of the materials to be submitted and the discussion and testimony presented during the public hearing for wireless communications facility applications, the applicant shall submit to the Planning Board, at the time of application, funds in the amount sufficient for the Board to engage the services of a recording secretary, stenographer, or similar service, to keep a detailed record of the proceedings during the public hearing for such application. Said funds shall be deposited by the Town in a revolving account, established pursuant to M.G.L. Chapter 44, Section 53E1/2, to be used solely for the purposes of this Section. Funds remaining after the close of the public hearing shall be returned to the applicant.

Because the application is limited to a proposal to install a concealed wireless communications facility inside the steeple of the existing building, the Applicant believes that the use of a consultant to review the proposal will not tend to provide substantive assistance to the Board and therefore the Applicant requests a waiver from any such requirement. If the Board determines that consultant review is necessary, the Applicant agrees, with all rights reserved, to escrow a mutually agreeable amount to cover the reasonable cost of review.

- **5.8.6.1** Any principal part of the facility (excluding guy cables) shall be setback from the nearest property line by a distance of twice the height of the facility (as measured to its highest point, including antennae, etc.), or a distance of three hundred feet (300'), whichever is greater.

The proposed concealed facility inside the steeple with screened ground equipment will not increase the height of the existing structure. The Applicant's proposed facility does not include the construction of a tower.

- **5.8.6.2 Any principal part of the facility (excluding guy cables) shall be setback from the nearest residential structure by a distance of twice the height of the facility (as measured to its highest point, including antennae, etc.), or a distance of three hundred feet (300'), whichever is greater.**

The proposed concealed facility inside the steeple with screened ground equipment will not increase the height of the existing structure. The Applicant's proposed facility does not include the construction of a tower.

- **5.8.6.9 All utilities proposed to serve the facility shall be installed underground.**

The utilities will be underground within the yard of the property and within new vertical shafts (designed to match the appearance of the existing Building façade) along the outside face of the Building and then within ceiling space on the inside of the Building.

- **5.8.6.11 No advertising or signage shall be permitted on the facility.**
As part of the proposed installation, Verizon Wireless' signage shall only be posted to comply with standards to provide notice of the installation of a wireless facility at the steeple access and area of screened ground equipment and will contain contact information. There shall be no advertisement signage installed on the facility.

- **5.8.6.12 No facility shall be located within a distance equal to twice the height of the facility (as measured from the ground to its highest point) plus four hundred feet (400') of a wellhead area of a municipal water supply.**

The proposed concealed facility inside the steeple with screened ground equipment will not increase the height of the existing structure. The Applicant's proposed facility does not include the construction of a tower.

- **5.8.6.13 Landscaping shall be provided around the base of the facility, adjacent to a security fence at least six feet (6') in height. The landscaping shall consist of a planting strip at least 25 feet wide, with ground cover and/or grass, and shall include at least one row of six-foot (6') high evergreen trees adjacent or proximate to the fence, and a row of deciduous trees at least ten feet (10') in height and at least one-and-one-half-inch (1 ½") caliper planted no more than 20 feet apart on center, and deemed acceptable by the Board. Applicants may substitute alternative landscape plans that meet the purposes of this**

subsection to limit the visual impact of the lower portion of the tower and adjoining accessory facilities for the Board's consideration.

There will be shrubs added to the landscape to provide a visual screen for the fenced ground equipment. The Applicant's proposed facility does not include the construction of a tower.

Pursuant to Sections 1.3.3.4 and 5.8.10, the Planning Board, as Site Plan and Special Permit Granting Authority may waive any of the foregoing provisions when in the opinion of the Planning Board, such waiver will accomplish the purposes of this bylaw and is in the public interest.

Verizon Wireless is committed to working with local communities in siting and construction of its antenna facilities. Because of Verizon Wireless' desire to be a good neighbor and establish long-term relationships, Verizon Wireless makes every effort to identify potential community concerns and incorporate all appropriate mitigation measures in the site selection process.

The wireless communications network being developed by Verizon Wireless has been designed utilizing sophisticated computer engineering models which simultaneously evaluate topography, population patterns, and land use concerns to identify specific geographic regions to be serviced by the communications facility in the network. As a result, a limited search area is identified by the Radio Frequency Engineer ("RF Engineer") as the necessary location for a transmission facility to ensure the most complete coverage to area residents, businesses and public safety officials. The RF Engineer has confirmed the need for an additional site near the Grafton Common area of Grafton by reviewing call attempts, ineffective call attempts and dropped calls for the existing cell sites in the area. Once the search area has been selected, then Verizon Wireless' site selection consultants first seeks to identify existing structures, which have sufficient radio frequency characteristics to allow the attachment of antenna arrays. In this case, after a thorough review of the search area, Verizon Wireless has determined that the existing steeple is sufficient for attachment purposes and therefore Verizon Wireless proposes to install concealed antennas and a screened fenced equipment area.

A gap in coverage is evidenced by the inability to adequately transmit or to receive wireless signals, or by the interruption or disconnection of wireless signals. Verizon Wireless currently has insufficient signal coverage or a "coverage gap" in the Town of Grafton. The gap in coverage that exists in the Town prevents Verizon Wireless from providing uninterrupted wireless service to current and future public and private users of its wireless communications system.

The location of a concealed steeple installation is an integral part of Verizon Wireless' network of telecommunications facilities necessary to provide adequate coverage to those persons living in Grafton, as well as those persons commuting through the Grafton area on the various roadways. If Verizon Wireless is permitted to install the equipment detailed herein, this will aid in reaching Verizon Wireless' goal to provide

enhanced service and communications in the Town of Grafton, the Commonwealth of Massachusetts and the United States as a whole.

It is a truism to state that, in today's competitive business environment, it is absolutely essential that there is the necessary infrastructure in a community to ensure access to reliable wireless services. The ability to travel away from the office, but still transact business by utilizing a mobile phone or other wireless device has become so interconnected that the absence of reliable service will certainly have a negative impact on the ability of a community to retain and attract business development.

Because the proposed wireless facility will be concealed inside the steeple, it will have minimal impact on the surrounding community and therefore Verizon Wireless formally requests waivers or, in the alternative, a determination of non-applicability for all standards and requirements that do not apply to the installation of concealed antennas with screened ground equipment. The proposed antennas will be mounted behind replacement louvers with ground equipment within the proposed fenced area and therefore a substantial portion of the bylaw standards do not apply to the Board in its review of this application.

Based on the analysis of the application, project brief, exhibits and supplemental materials, Verizon Wireless' requested waiver should be allowed as required by the Telecommunications Act of 1996, ("TCA") codified at 47 USC§332(c)(7) requires that zoning decisions do not prohibit the provision of wireless services. The Applicant is proposing to co-locate its antennas and related equipment and therefore a waiver of the bylaw requirement may be granted as it will accomplish the purpose of the bylaw to encourage co-location on existing non-residential structures.

The Applicant has prepared plans, photo simulations and supporting materials which accurately depict the property and location of the Applicant's equipment upon property. Due to the size and scope of the proposed wireless telecommunications communications facility, Applicant believes that the Plans, Project Brief, and other documents submitted meet the requirements to the extent applicable to this proposal. To the extent the Board believes that the provided Plans, photo simulations and supporting materials do not comply with the requirements, the additional detail will not tend to provide substantive assistance to the Board and therefore the Applicant requests a waiver from any such requirements.

III. SUMMARY

The Applicant's plans and supporting documentation, as submitted, are sufficient for review by the Planning Board to determine whether to grant the applicant's Special Permit with Site Plan Review and all waivers requested should be granted by the Planning Board.